



# House of Representatives

General Assembly

**File No. 383**

January Session, 2015

Substitute House Bill No. 6885

*House of Representatives, April 1, 2015*

The Committee on General Law reported through REP. BARAM of the 15th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

**AN ACT PERMITTING RESTAURANT, CAFE AND TAVERN  
ALCOHOLIC LIQUOR PERMIT HOLDERS TO SELL GROWLERS OF  
BEER AT RETAIL.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 30-22 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) A restaurant permit shall allow the retail sale of alcoholic liquor  
4 to be consumed on the premises of a restaurant. A restaurant patron  
5 shall be allowed to remove one unsealed bottle of wine for off-  
6 premises consumption provided the patron has purchased such bottle  
7 of wine at such restaurant and has purchased a full course meal at  
8 such restaurant and consumed a portion of the bottle of wine with  
9 such meal on such restaurant premises. For the purposes of this  
10 section, "full course meal" means a diversified selection of food which  
11 ordinarily cannot be consumed without the use of tableware and  
12 which cannot be conveniently consumed while standing or walking. A  
13 restaurant permit, with prior approval of the Department of Consumer

14 Protection, shall allow alcoholic liquor to be served at tables in outside  
15 areas which are screened or not screened from public view where  
16 permitted by fire, zoning and health regulations. If not required by  
17 fire, zoning or health regulations, a fence or wall enclosing such  
18 outside areas shall not be required by the Department of Consumer  
19 Protection. No fence or wall used to enclose such outside areas shall be  
20 less than thirty inches high. Such permit shall also authorize the sale at  
21 retail from the premises of sealed containers supplied by the permittee  
22 of draught beer for consumption off the premises. Such sales shall be  
23 conducted only during the hours a package store is permitted to sell  
24 alcoholic liquor under the provisions of subsection (d) of section 30-91.  
25 Not more than four liters of such beer shall be sold to any person on  
26 any day on which the sale of alcoholic liquor is authorized under the  
27 provisions of subsection (d) of section 30-91. The annual fee for a  
28 restaurant permit shall be one thousand four hundred fifty dollars.

29 (b) A restaurant permit for beer shall allow the retail sale of beer  
30 and of cider not exceeding six per cent of alcohol by volume to be  
31 consumed on the premises of a restaurant. Such permit shall also  
32 authorize the sale at retail from the premises of sealed containers  
33 supplied by the permittee of draught beer for consumption off the  
34 premises. Such sales shall be conducted only during the hours a  
35 package store is permitted to sell alcoholic liquor under the provisions  
36 of subsection (d) of section 30-91. Not more than four liters of such  
37 beer shall be sold to any person on any day on which the sale of  
38 alcoholic liquor is authorized under the provisions of subsection (d) of  
39 section 30-91. The annual fee for a restaurant permit for beer shall be  
40 three hundred dollars.

41 (c) A restaurant permit for wine and beer shall allow the retail sale  
42 of wine and beer and of cider not exceeding six per cent of alcohol by  
43 volume to be consumed on the premises of the restaurant. A restaurant  
44 patron may remove one unsealed bottle of wine for off-premises  
45 consumption provided the patron has purchased a full course meal  
46 and consumed a portion of the bottle of wine with such meal on the  
47 restaurant premises. Such permit shall also authorize the sale at retail

48 from the premises of sealed containers supplied by the permittee of  
49 draught beer for consumption off the premises. Such sales shall be  
50 conducted only during the hours a package store is permitted to sell  
51 alcoholic liquor under the provisions of subsection (d) of section 30-91.  
52 Not more than four liters of such beer shall be sold to any person on  
53 any day on which the sale of alcoholic liquor is authorized under the  
54 provisions of subsection (d) of section 30-91. The annual fee for a  
55 restaurant permit for wine and beer shall be seven hundred dollars.

56 (d) Repealed by P.A. 77-112, S. 1.

57 (e) A partially consumed bottle of wine that is to be removed from  
58 the premises pursuant to subsection (a) or (c) of this section shall be  
59 securely sealed and placed in a bag by the permittee or permittee's  
60 agent or employee prior to removal from the premises.

61 (f) "Restaurant" means space, in a suitable and permanent building,  
62 kept, used, maintained, advertised and held out to the public to be a  
63 place where hot meals are regularly served, but which has no sleeping  
64 accommodations for the public and which shall be provided with an  
65 adequate and sanitary kitchen and dining room and employs at all  
66 times an adequate number of employees.

67 Sec. 2. Section 30-22a of the general statutes is repealed and the  
68 following is substituted in lieu thereof (*Effective from passage*):

69 (a) A cafe permit shall allow the retail sale of alcoholic liquor to be  
70 consumed on the premises of a cafe. Premises operated under a cafe  
71 permit shall regularly keep food available for sale to its customers for  
72 consumption on the premises. The availability of sandwiches, soups or  
73 other foods, whether fresh, processed, precooked or frozen, shall be  
74 deemed compliance with this requirement. The licensed premises shall  
75 at all times comply with all the regulations of the local department of  
76 health. Nothing herein shall be construed to require that any food be  
77 sold or purchased with any liquor, nor shall any rule, regulation or  
78 standard be promulgated or enforced requiring that the sale of food be  
79 substantial or that the receipts of the business other than from the sale

80 of liquor equal any set percentage of total receipts from sales made  
81 therein. A cafe permit shall allow, with the prior approval of the  
82 Department of Consumer Protection, alcoholic liquor to be served at  
83 tables in outside areas that are screened or not screened from public  
84 view where permitted by fire, zoning and health regulations. If not  
85 required by fire, zoning or health regulations, a fence or wall enclosing  
86 such outside areas shall not be required by the Department of  
87 Consumer Protection. No fence or wall used to enclose such outside  
88 areas shall be less than thirty inches high. Such permit shall also  
89 authorize the sale at retail from the premises of sealed containers  
90 supplied by the permittee of draught beer for consumption off the  
91 premises. Such sales shall be conducted only during the hours a  
92 package store is permitted to sell alcoholic liquor under the provisions  
93 of subsection (d) of section 30-91. Not more than four liters of such  
94 beer shall be sold to any person on any day on which the sale of  
95 alcoholic liquor is authorized under the provisions of subsection (d) of  
96 section 30-91. The annual fee for a cafe permit shall be two thousand  
97 dollars.

98 (b) (1) A cafe patron may remove one unsealed bottle of wine for  
99 off-premises consumption provided the patron has purchased a full  
100 course meal and consumed a portion of the wine with such meal on  
101 the cafe premises. For purposes of this section, "full course meal"  
102 means a diversified selection of food which ordinarily cannot be  
103 consumed without the use of tableware and which cannot be  
104 conveniently consumed while standing or walking.

105 (2) A partially consumed bottle of wine that is to be removed from  
106 the premises pursuant to this subsection shall be securely sealed and  
107 placed in a bag by the permittee or the permittee's agent or employee  
108 prior to removal from the premises.

109 (c) As used in this section, "cafe" means space in a suitable and  
110 permanent building, kept, used, maintained, advertised and held out  
111 to the public to be a place where alcoholic liquor and food is served for  
112 sale at retail for consumption on the premises but which does not

113 necessarily serve hot meals; it shall have no sleeping accommodations  
114 for the public and need not necessarily have a kitchen or dining room  
115 but shall have employed therein at all times an adequate number of  
116 employees.

117 Sec. 3. Section 30-26 of the general statutes is repealed and the  
118 following is substituted in lieu thereof (*Effective from passage*):

119 A tavern permit shall allow the retail sale of beer and of cider not  
120 exceeding six per cent of alcohol by volume and wine to be consumed  
121 on the premises of a tavern with or without the sale of food. "Tavern"  
122 means a place where beer and wine are sold under a tavern permit.  
123 Such permit shall also authorize the sale at retail from the premises of  
124 sealed containers supplied by the permittee of draught beer for  
125 consumption off the premises. Such sales shall be conducted only  
126 during the hours a package store is permitted to sell alcoholic liquor  
127 under the provisions of subsection (d) of section 30-91. Not more than  
128 four liters of such beer shall be sold to any person on any day on which  
129 the sale of alcoholic liquor is authorized under the provisions of  
130 subsection (d) of section 30-91. The annual fee for a tavern permit shall  
131 be three hundred dollars.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	30-22
Sec. 2	<i>from passage</i>	30-22a
Sec. 3	<i>from passage</i>	30-26

**GL**            *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

---

## **OFA Fiscal Note**

### **State Impact:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 15 \$</b>	<b>FY 16 \$</b>	<b>FY 17 \$</b>
Revenue Serv., Dept.	GF - Revenue Gain	Up to \$1.2 million	Up to \$7.3 million	Up to \$7.3 million

Note: GF=General Fund

**Municipal Impact:** None

### **Explanation**

The bill results in a revenue gain by allowing restaurant, café, and tavern alcohol permittees to sell at retail four litres of beer in sealed containers (also known as “growlers”) to individuals for off-premise consumption.

Currently there are 2,525 active restaurant, café, and tavern alcohol permittees in the state. Assuming that 50% of those permittees sells ten growlers per day at an average cost of \$25 each, the revenue generated would be up to \$7.3 million. The actual revenue generated will depend on (1) the actual number of permittees that choose to sell growlers and (2) the consumer demand for such a product.

### **The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

**OLR Bill Analysis****sHB 6885*****AN ACT PERMITTING RESTAURANT, CAFE AND TAVERN ALCOHOLIC LIQUOR PERMIT HOLDERS TO SELL GROWLERS OF BEER AT RETAIL.*****SUMMARY:**

This bill allows restaurant, café, and tavern alcohol permittees to sell at retail, permittee-provided sealed containers of draught beer for off-premises consumption.

These retail sales are limited to (1) four liters of beer per day to any individual and (2) the authorized hours for off-premises alcohol consumption sales. By law, off-premises sale and dispensing of alcohol are allowed only on Monday to Saturday from 8:00 a.m. to 9:00 p.m. and Sundays from 10:00 a.m. to 5:00 p.m. Permittees cannot sell or dispense alcohol on Thanksgiving Day, New Year's Day, or Christmas Day.

EFFECTIVE DATE: Upon passage

**COMMITTEE ACTION**

General Law Committee

Joint Favorable Substitute

Yea 18 Nay 0 (03/12/2015)